

REMARKS

Favorable reconsideration of this application, in view of the preceding amendments and following remarks, is respectfully requested.

Claims 1-4, 9, 11 and 14-38 are pending in this application. Claims 1, 11 and 17 are amended. No claims are cancelled by this Amendment

Entry of Amendment under 37 C.F.R. § 1.116

Claims 1 and 11 are amended to address the 35 U.S.C. § 101 rejection and thus, reduce issues for appeal. Further, the amendment to claims 1 and 11 do not raise new issues requiring further search and/or consideration. Still further, Applicants note that claim 17 is merely amended to clarify the claim. In particular, the features of the reading step are now listed in the claim above the features of the reproducing step instead of being listed in the claim below the reproducing step. As such, the amendment to claim 17 does not raise new issues requiring further search and/or consideration.

Therefore, Applicants respectfully request the Examiner enter this Amendment under 37 C.F.R. § 1.116 on the record.

Information Disclosure Statements

Applicants acknowledge with appreciation the Examiner's indication that the references listed in the Information Disclosure Statements filed on February 25, 2005 and September 26, 2006 have been considered.

Claim Rejections under 35 U.S.C. § 102

Claims 1-4, 9, 11 and 14-22 stand rejected under 35 U.S.C. § 102(e) as anticipated by Okada (U.S. Pub. No. 2002/0046328). Applicants provide the following comments to traverse this rejection.

In response to the arguments included in the previously submitted amendment filed December 7, 2006, the Examiner asserts the following regarding the features of the navigation area recited in claim 1.

Okada discloses the state transition of the list storing the stream management/navigation table and empty zone management/navigation as shown in fig. 44. Fig. 41-44 shows various data lists to locate the digitally recorded video for reproduction. Figure 42 shows an example of the configuration of a table 130 for management of an empty area of each zone on the disk 100. Each zone contains information indicating an empty area in each zone and information indicating full area to which data has been recorded. See also paragraph 0314. The MPU receives a read/write instruction input through the line 54, and determines the access execution order and read/write position of the disk based on the disk scheduling algorithm. See paragraph 0170. The read/write process performed on each channel is scheduled in order from the earliest deadline. See paragraph 0191. Data are recorded in zones 1 and 6 simultaneously through channel 2 and channel 1. See paragraph 0296. If it is an instruction to record data through two channels, then data is alternately recorded in an inner zone through one channel and in an outer zone through the channel. See paragraph 303. The table 120 comprises m streams 1-m. The stream i refers to the information about the stream data of i channel(s). Each stream has a data structure and the amount of data recorded at serial address is linked in a list structure. See paragraph 0313. (Emphasis added).

Applicants respectfully submit that the above rejection is somewhat unclear because the Examiner has not identified the features of Okada that are believed to correspond with the various features of the navigation area of claim 1.

However, Applicants understanding of the above-quoted portion of the Office Action, as indicated by the underlined language, is that the Examiner is asserting the list 150 illustrated in Fig. 44 of Okada corresponds to the “first navigation unit” recited in claim 1; the management/navigation table and the empty zone management/navigation table 130 of Fig. 42

correspond to the “second navigation units” recited in claim 1; the zones of the disk shown in Fig. 36 correspond to “third navigation units” recited in claim 1; and each stream disclosed in Okada corresponds to “a separate file of video data” recited in claim 1. As such, Applicants traverse the rejection as detailed below.

First and Second Navigation units

Applicants assert that the table 120 for the management of a stream shown in FIG. 41, the table 130 for management of an empty zone shown in FIG. 42 and the list 150 shown in FIG. 44 are all stored in the memory 150 and thus, are not included in a recording medium as required by claim 1. This is supported at least by paragraph 351 of Okada, which recites the following.

FIG. 44 shows an example in which the tables 120 and 130 shown in FIGS. 41 and 42 are installed in memory 150. The memory 150 comprises an initialized area 151 at addresses 0 through 17 and an extension area 152 at and after address 18. The initialized area 151 stores the tables 120 and 130. The extension area 152 stores an additional list of the Stream (i) (i=1 through 5). (Emphasis Added)

Accordingly, Applicants respectfully submit that these features of Okada cannot be used to anticipate the first navigation unit and second navigation units stored in the navigation area of a recording medium.

Therefore, Applicants respectfully submit that Okada fails to disclose all of the features of independent claims 1 and 11 each of which are directed towards a computer-readable recording medium including a navigation area. As such, Applicants respectfully submit that independent claims 1 and 11, and claims depending therefrom, patentably distinguish over Okada.

Third Navigation Unit indicating a Separate File of Video Data

As indicated above, Applicants understanding of the Examiner's response to the previously submitted arguments included in the Amendment filed December 7, 2006 is that the zones illustrated in FIG. 36 and described in paragraph 314 of Okada are believe to anticipate the "third navigation unit indicating a separate file of video data in the data area to reproduce."

However, Applicants respectfully submit that the zones are simply the physical location on the disk where data may be stored. Further, there is no indication in paragraph 314 of Okada that the zones, i.e., the physical areas, on the disk provide any indication as to what type of data is stored in a zone. At most, paragraph 314 of Okada indicates the zones may contain information indicating that the zone is full or empty.

Therefore, Applicants respectfully submit that Okada at least fails to disclose, teach or suggest a "third navigation unit indicating a separate file of video data in the data area to reproduce," as required by independent claims 1 and 16-19. As such, Applicants respectfully submit that independent claims 1 and 16-19, and claims depending therefrom, patentably distinguish over Okada.

In light of the above, Applicants respectfully request that the rejections of claims 1-4, 9, 11 and 14-38 under 35 U.S.C. § 102(e) be withdrawn.

Claim Rejections under 35 U.S.C. § 101

Claims 1-4, 9, 11, 14-15, 20-22, 24 and 26 stand rejected under 35 U.S.C. § 101 because the claims are directed to a recording medium storing nonfunctional descriptive material. Applicants respectfully traverse this rejection as detailed below.

Amended claims 1 and 11 recites a "computer-readable recording medium". Accordingly, Applicants respectfully that this minor amendment to claims 1 and 11 indicates the recording

medium cannot be, "for example paper" as indicated in the Examiner's response to the arguments regarding this rejection submitted in the previous Amendment filed December 8, 2006.

Therefore, Applicants respectfully request that the rejection to claims 1-4, 9, 11, 14-15, 20-22, 24 and 26 under 35 U.S.C. § 101 be withdrawn.

Request for Interview

Lastly, Applicants respectfully request that if the Examiner deems this Amendment does not overcome the rejections based on Okada, the Examiner contact the Applicants' Representative to discuss the application so that a telephone or personal interview can be scheduled and conducted while both the Okada reference and the claims are fresh in the mind of the Examiner.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of each of claims pending in this application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott A. Elchert at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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